

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 20-cv-20599
Hon. Matthew F. Leitman

JOHN ANGELO, *et al.*,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
GOVERNMENT’S MOTION IN LIMINE REGARDING ADMISSIBILITY
OF OVERT ACTS FOR COUNT TWO AND WILLFULNESS FOR
COUNTS THREE THROUGH FIVE (ECF No. 381) AS SUPPLEMENTED
BY SUPPLEMENT TO GOVERNMENT’S MOTION IN LIMINE
REGARDING ADMISSIBILITY OF EVIDENCE OF OVERT ACTS FOR
COUNT TWO AND WILLFULNESS FOR COUNTS THREE THROUGH
FIVE (ECF No. 384)**

On June 28, 2023, the Court held hearing on the Government’s Motion in Limine Regarding Admissibility of Overt Acts for Count Two and Willfulness for Counts Three Through Five (ECF No. 381), as supplemented by the Government’s Supplement to Motion in Limine Regarding Admissibility of Evidence of Overt Acts for Count Two and Willfulness for Counts Three Through Five (ECF No. 384). For the reasons explained on the record during that hearing, the Government’s motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

- The Government shall not offer evidence that Defendants John and Rosina Angelo received and/or deposited checks made payable to Sereno Marketing into Sereno Marketing accounts, nor shall the Government offer evidence that the Defendants exercised control over funds in Sereno Marketing accounts to pay themselves taxable income that was not reported on a tax return in the relevant year the funds were received.
- The Government shall not present evidence that, on behalf of Defendant Anthony Sereno, Rosina Angelo provided to income tax return preparers fraudulent or incomplete financial records related to Sereno Marketing.
- The Government may offer testimony from Witness Scott Jawetz that, on or after March 25, 2017, Jawetz learned that an accountant was served with a grand jury subpoena and had direct communications with Defendants John and/or Rosina Angelo about the contents of the subpoena and actions to be taken in connection with the investigation associated with the subpoena.
- The Government may not offer testimony from Witness Scott Jawetz concerning the contents of his conversation with John Capela and Rosina Angelo after he informed them of the grand jury subpoena, which is excerpted on PageID.6870 of the Government's Supplemental brief (ECF No. 384).
- The Government may offer evidence that Defendant Rosina Angelo drafted and delivered to CPA Richard Lemongello check no. 1468 for \$12,000

drawing on a Robin Street Consultants' Bank of America account ending in 3107 to pay Richard Lemongello for his tax services.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: July 5, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 5, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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